



UNITED STATES PATENT AND TRADEMARK OFFICE



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/780,901	02/18/2004	Manfred R. Kuehnle	3483.1000-001

021005
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 VIRGINIA ROAD
P.O. BOX 9133
CONCORD, MA 01742-9133

CONFIRMATION NO. 9060
FORMALITIES LETTER

OC000000012665669

Date Mailed: 05/14/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

12/20/2004 MBERHE 00000063 10780901

01 FC:2001 395.00 OP
02 FC:2051 65.00 OP
03 FC:2202 375.00 OP

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 21 & 22.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$270** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1170** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$270**
 - **\$270** for 15 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Alex Resfarge

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Manfred R. Kuehnle and Hermann Statz

Application No.: 0/780,901 Group: 1773

Filed: February 18, 2004 Examiner: Not Yet Assigned

Confirmation No.: 9060

For: ENCAPSULATED NANOPARTICLES FOR THE ABSORPTION
OF ELECTROMAGNETIC ENERGY

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

13/14/04 Donna Bartolone
Donna Bartolone

Typed or printed name of person signing certificate

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

In reply to the Notice to File Missing Parts dated May 14, 2004, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

 EXECUTED DECLARATION FOR PATENT APPLICATION

(Separate transmittal letter and postcard not required)

 POWER OF ATTORNEY DOCUMENT Granted by Inventor(s) Granted by Assignee, including Statement under 37 C.F.R. 3.73(b)

(Separate transmittal letter and postcard not required)

12/20/2004 HBERHE 00000063 10780901

 PRELIMINARY AMENDMENT

(Separate transmittal letter and postcard not required)

04 FC:2255 1080.00 OP

 FILING FEE - with Fee Transmittal for Patent Applications in duplicate

Fee calculations based on:

 Claims as originally filed The Notice to File Missing Parts states an erroneous number of claims. Claims upon entry of the Preliminary Amendment filed [herewith] [with the application]
(Separate transmittal letter and postcard not required) **SURCHARGE - surcharge fee of \$65.00**

(Separate transmittal letter and postcard not required)

SEQUENCE LISTING - Filed concurrently and is attached

(Separate transmittal letter and postcard required)

REPLACEMENT DRAWINGS - [3] sheets of replacement drawings consisting of

Figs. 20, 21, 21A & 22 are enclosed *(Separate transmittal letter and postcard not required)*

A Petition to Accept Color Drawings/Photographs (Fig(s). []) and a Transmittal of Replacement Drawings, with attachments, are enclosed.

(Separate check for fees and postcard required)

PETITION FOR EXTENSION OF TIME

Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated May 14, 2004 for five months from July 14, 2004 to December 14, 2004. The appropriate fee of \$1080.00 is included in the enclosed check

A [] month extension of time to respond to the Notice to File Missing Parts dated [] was filed on [] with payment of a \$[] fee

Applicant hereby petitions for an additional [] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[] is included in the enclosed check

(Separate Petition for Extension of Time and postcard not required)

REQUEST FOR CORRECTED FILING RECEIPT - Filed concurrently and is attached

(Separate transmittal letter and postcard required)

STATEMENT CLAIMING SMALL ENTITY STATUS

Was filed on []

Is enclosed herewith

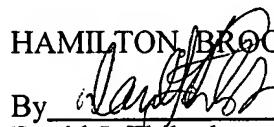
(Separate transmittal letter and postcard not required)

In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[] which were paid on [] to be deposited in Deposit Account No. 08-0380

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$1915.00. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

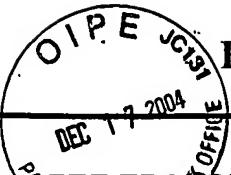
Respectfully submitted,

HAMILTON/BROOK, SMITH & REYNOLDS, P.C.

By 
 David J. Thibodeau, Jr.
 Registration No.: 31,671
 Tel.: (978) 341-0036
 Fax: (978) 341-0136

Concord, Massachusetts 01742-9133

Date: 12/14/04



HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

FEES TRANSMITTAL FOR PATENT APPLICATIONS	Attorney Docket Number	3483.1000-001
	Application Number	10/780,901
	First Named Inventor	Manfred R. Kuehnle

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	35 - 20 =	15	x \$ 50 =	\$ 750
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	3 - 3 =	0	x \$200 =	\$ 0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 360 =	\$
			BASIC FEE Filed before 12/8/04 / Filed on/after 12/8/04		\$ 790
			APPLICATION SIZE FEE (Applies if filed on or after 12/8/04) \$250 for each add'l 50 sheets exceeding 100		\$ 0
			SEARCH FEE Filed before 12/8/04 / Filed on/after 12/8/04		\$ 0
			EXAMINATION FEE Filed before 12/8/04 / Filed on/after 12/8/04		\$ 0
			Total of above Calculations =		\$ 1080
			Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =		\$ 770
			TOTAL =		\$ 770
			Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =		\$ 65
			Petition for Extension of Time Fee (37 C.F.R. 1.17) =		\$ 1080
			Assignment Recordation Fee = (only when filed with application)		\$
			[Other]		\$
			TOTAL =		\$ 1915

1. Small entity status:
 - a. A small entity statement is enclosed.
 - b. A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
 - c. Is no longer claimed.
2. A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.
3. A check is enclosed for \$1915.00. Please charge \$[] to Deposit Account No. 08-0380.
4. Other: _____

Signature		Date	12/14/04
Submitted by Typed or Printed Name	David J. Thibodeau, Jr.	Reg. Number	31,671